

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Visakhapatnam District – Withdrawal of prosecution against Sri C.Seshagiri Rao, Dy.Collector, presently working as Spl.Dy.Collector (LA), AMRP, Unit-II, G.V.Gudem, Nalgonda in Cr.No.568/2006, under sections 353, 323,506 of the Indian Penal Code, 1860 of IV-Town Police Station – Visakhapatnam District on the file of the 1st Additional Chief Metropolitan Magistrate Court, Visakhapatnam City in CC No.66/2007 – Orders – Issued.

LAW (LA&J - HOME - COURTS.B) DEPARTMENT

G.O.Rt.No. 596

Dated: 09.04.2009.

Read the following

1. Representation of Sri C.Seshagiri Rao, Dy.Collector, presently working as Spl.Dy.Collector (LA), AMRP, Unit-II, G.V.Gudem, Nalgonda, dt.2.5.2008.
2. Govt.Memo.No.19184/Courts.B2/2008-1, dt.4.7.2008.
3. From the Collector and District Magistrate, Visakhapatnam Ir.No.306/2008/ A1, dated:6.12.2008.

ORDER:

In the representation 1st read above, Sri C.Seshagiri Rao, Dy.Collector, presently working as Spl.Dy.Collector (LA), AMRP, Unit-II, G.V.Gudem, Nalgonda has represented that he worked on deputation as Dy.Collector, Flying Squad, Registration & Stamps, Zone-1, Visakhapatnam from 01.06.2006 to 18.09.2006. While discharging his duties, he noticed misbehaviour and high handed attitude of Smt. P.Lakshmi Kumari, Asst. District Registrar, Flying Squad, Visakhapatnam against her superiors. The fact was brought to the notice of Commissioner and Inspector General of Registration & Stamps, Hyderabad. During the course of meeting on 15.9.2006, in the chambers of Dy. Inspector General, Registration & Stamps on administrative matters, the individual asked her to correct the mistakes that crept in her T.A. Bills, on which, she took objection and started shouting on him and used filthy language against his daughters. The said action of her, disturbed him and his feelings. The Dy. Inspector General of Registration & Stamps, Visakhapatnam interfered and warned her. Then she left the place and gave a false complaint to the Police and case was registered in Cr.No.568/2006 u/s 353, 323 & 506 of Indian Penal Code, 1860 of IV Town Police Station, Visakhapatnam District. Thereafter, disciplinary action was initiated against Sri C.Seshagiri Rao, under A.P.Civil Services (CCA) Rules, 1991, basing on the report of the Dy. Inspector General of Registration & Stamps, Visakhapatnam and after conducting preliminary enquiry, having been satisfied with the explanation submitted by him, further action was dropped by the Government, vide Memo.No.7513/Vig.III(1)/2007-3, Revenue (Vigilance-III) Department, dated:04.01.2008. He has stated that the alleged incident took place due to misbehaviour and high handed attitude of Smt. P.Lakshmi Kumari, but not occurred outside the office premises on private matter. He has further stated that so far, Government have not accorded permission to prosecute him, and has requested to withdraw the case in Cr.No.568/2006, u/s 353, 323 & 506 Indian Penal Code, 1860 of IV Town, Visakhapatnam District.

2) In the Government Memo. reference 2nd read above, the representation of the individual has been sent to the Collector and District Magistrate, Visakhapatnam for specific remarks in the matter.

3) In the letter 3rd read above, based on the report of the Commissioner of Police, Visakhapatnam District along with the opinion of Senior Assistant Public Prosecutor, Visakhapatnam, the Collector and District Magistrate, Visakhapatnam has submitted his remarks stating that the Dy.Collector has worked in Visakhapatnam. for only 3 ½ months on deputation and has no previous acquaintance with the complainant, and the dispute between the two officers arose only on sparing of the Government vehicle between them, when the complainant refused to write the car log book, the Dy. Collector has submitted a report to the Commissioner & Inspector General of Registration & Stamps, Hyderabad (Head of the Department) prior to the date of the alleged incident against the high handed behavior of the Asst. District Registrar (complainant) and the Enquiry Officer who was appointed by the then District Collector in her report concluded that the complainant has not given any respect to his Superior

Officer and staff members, that her rude and high handed behavior has caused sufferings to the deputationists and used filthy language against the individual and his daughters and that she should not have abused him being a superior and is in subordination as well and it is beyond doubt that her foul language resulted into this unfortunate and ugly episode and recommended for taking action against her. The Dy. Collector was transferred immediately on administration grounds and Government have initiated departmental action against him under A.P.Civil Services (CCS) Rules, 1991 and also dropped further action against him. After observing the merits and demerits of the case, the Collector and District Magistrate, felt that there is no further need to prosecute the Dy.Collector, Sri C.Seshagiri Rao and the continuance of the case will only cause severe harassments to the accused and recommended for the withdrawal of prosecution of the accused in this case.

4) Government after careful examination of the matter have decided to withdraw prosecution against the accused Sri C.Seshagiri Rao, Dy.Collector, presently working as Spl.Dy.Collector (LA), AMRP, Unit-II, G.V.Gudem, Nalgonda in Cr.No.568/2006, under sections 353, 323,506 of the Indian Penal Code, 1860 of IV-Town Police Station, Visakhapatnam District on the file of the Ist Additional Chief Metropolitan Magistrate's Court, Visakhapatnam City in CC No.66/2007.

5) The Collector and District Magistrate, Visakhapatnam District is, therefore, directed to instruct the Sr. Assistant Public Prosecutor concerned to file a petition under section 321 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) for withdrawal of prosecution against the accused mentioned in para (4) above, in Cr.No.568/2006, under sections 353, 323,506 of the Indian Penal Code, 1860 of IV-Town Police Station, before the Ist Additional Chief Metropolitan Magistrate's Court, Visakhapatnam City in CC No.66/2007, under intimation to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. RAMACHANDRA REDDY,
SECRETARY TO GOVERNMENT
LEGISLATIVE AFFAIRS & JUSTICE.

To
The Collector & District Magistrate, Visakhapatnam District.
The Director General of Police, A.P., Hyderabad.
The Commissioner of Police, Visakhapatnam District.
The Sr. Assistant Public Prosecutor (thro' Collector concerned)

Copy to:

The Law (E) Department,
The P.S. to Secretary (L.A. & J) Department,
Sf/Sc.

// Forwarded: by Order //

SECTION OFFICER